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STATE OF DELAWARE  
**DEPARTMENT OF STATE**

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DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING MINUTES:	<b>Board of Massage and Bodywork</b>
MEETING DATE AND TIME:	<b>Thursday, November 17, 2011 at 1:30 p.m.</b>
PLACE:	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room B</b> , second floor Cannon Building
MINUTES APPROVED:	

**MEMBERS PRESENT**

Gordon Gelley, Public Member  
Sharon Harris, Public Member, Secretary  
Wayne Dawson, Professional Member  
Sandra Jachimowski, Professional Member  
Holly Overmyer, Professional Member, President

**MEMBERS ABSENT**

Lora Bryner, Professional Member, Vice-President (temporarily suspended from Board duties)  
Rachel Dunning, Public Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL/COURT REPORTER**

Kay Warren, Deputy Director  
Eileen Heeney, Deputy Attorney General  
Jennifer Witte, Administrative Specialist II  
Shelly Ide, Administrative Specialist II

**OTHERS PRESENT**

Cheryl Tucker

**CALL TO ORDER**

Ms. Overmyer called the meeting to order at 1:32 p.m.

**REVIEW OF MINUTES**

The Board reviewed the minutes from the October 20, 2011 meeting. A motion was made by Mr. Gordon, seconded by Ms. Harris, to approve the minutes as presented. The motion unanimously carried.

**UNFINISHED BUSINESS**

Ms. Witte asked that the agenda be amended to remove Ryan Holley 3.2-Review of Post Renewal Audits and add it as 3.1.2-Re-Review of Post Renewal Audits along with the addition of 3.1.3 Charles McKinney, and to also add 4.7-Review of Applications-Eileen Heeney.

A motion was made by Ms. Harris, seconded by Mr. Dawson to approve the amendments to the agenda. The motion unanimously carried.

### Re-Review of Audits

After review of additional documentation, a motion was made by Ms. Harris, seconded by Mr. Dawson, to accept the 12 CEU's of home study, approve a 90-day extension to complete the additional 12 CEU's, and flag Joy Brenner for audit for the 2010-2012 renewal period . The motion unanimously carried.

After review of additional documentation, a motion was made by Ms. Harris, seconded by Mr. Dawson, to approve the post-renewal audit of Ryan Holley. In addition, he will be flagged for audit for the 2010-2012 renewal period, and the CEU's submitted for this audit may not be used. The motion unanimously carried.

After review of additional documentation, a motion was made by Ms. Harris, seconded by Mr. Gelley, to approve the post-renewal audit of Charles McKinney. In addition, he will be flagged for audit for the 2010-2012 renewal period, and the CEU's submitted for this audit may not be used. The motion unanimously carried.

### Discussion of Joint Sunset Review, Proposed Bill Revising Statute, and Two-Tier Licensure Issue

After review of three options drafted by the Board's DAG, a motion was made by Mr. Gelley, seconded by Ms. Harris, to amend the bill as stated below:

Six months after enactment, the Board will no longer accept or grant CMT applications. The status of current CMTs won't be impacted.

There will be a 24 CEU requirement for both CMTs and LMTs that will include an ethics course.

Both CMTs and LMTs will need to have a disclosure for clients.

The motion unanimously carried.

### Compliance to Recommendation of the Chief Hearing Officer

After an explanation of a divorce and an address change, a motion was made by Mr. Gelley, seconded by Ms. Harris to accept the explanation and to reinstate the Certified Massage Technician license of Cheryl Tucker. The motion unanimously carried.

### Final Denial of Applications

With there being no additional documentation or hearing request received, a motion was made by Mr. Gelley, seconded by Mr. Dawson, to deny the Massage Technician application of Khalil Abdul-Majid. The motion unanimously carried.

## **NEW BUSINESS**

### Ratification of Temporary Massage Technician Certifications

There were no applications for Temporary Massage Technician Certificates.

### Ratification of Massage Technician Certifications

A motion was made by Mr. Dawson, seconded by Ms. Harris, to approve the ratification of the Massage Technician Certifications of Tonyia Short and Anne McDaniels. The motion was unanimously carried.

#### Ratification of License Massage Therapists Applications

A motion was made by Mr. Dawson, seconded by Mr. Gelley, to approve the ratification of the Massage Therapist applications of Said Ait Alla, Nancy Stack-Eichmann, Ian Kilty, Matthew Doub, and Michael Stoneberger. The motion unanimously carried.

#### Review and Deliberation of Hearing Officer's Recommendation to the Board

After a review of the recommendations, a motion was made by Ms. Harris, seconded by Mr. Dawson, to accept and approve the recommendations of the Chief Hearing Officer in regard to the rule to show cause hearing of Mandy Bell Young, Holly Garay, Melissa Collins, Mary Graybeal, Jeannie Dunworth, Tania Rodriguez, Teresa Montefusco, Deborah Lites, Georgette Mercer, Janet Harden, Stacey Walsh, Jessica Perez Beebe, Valerie Brooks Banks, Ashley Whiteley, Monika Scarborough, Elaine Russell, Lisa Newton, Heather Ferguson, Erina Frazer, Michelle Oxley, Trisha Smith, George McKinney, Patricia Rimel and Alejandro Valencia. The motion was unanimously carried.

After a review of the recommendations, a motion was made by Mr. Dawson, seconded by Ms. Harris, to accept and approve the recommendations as amended in regard to the rule to show cause hearing of Dewanna Negrón. The motion was unanimously carried.

#### Review of Consent Agreement

After review, a motion was made by Ms. Harris, seconded by Mr. Dawson, to accept and approve the Consent Agreement of Sean Smedley as written. The motion unanimously carried.

#### Complaint Status

20-03-10-Forwarded to AG's Office  
20-09-10-Forwarded to AG's Office  
20-10-10-Forwarded to AG's Office  
20-11-10-Forwarded to AG's Office  
20-13-10-Open  
20-14-10-Open  
20-16-10-Open  
20-02-11-Assigned  
20-03-11-Forwarded to AG's Office  
20-04-11-Forwarded to AG's Office  
20-05-11-Forwarded to AG's Office  
20-06-11-Forwarded to AG's Office

#### Continuing Education Reviews

After review, a motion was made by Ms. Jachimowski, seconded by Mr. Gelley, to approve the following application for continuing education:

#### American Massage Therapy Association

- Growing a Thriving Practice, Systems for Success, 3 hours, elective

The motion was unanimously carried.

**Review of Applications-Eileen Heeney**

After a review by Ms. Henney, a motion was made by Mr. Dawson, seconded by Mr. Gelley, to approve the Certified Massage Technician application of Vanessa Megura. The motion was unanimously carried.

**CORRESPONDENCE**

There was no correspondence.

**OTHER BUSINESS**

There was no other business before the Board.

**PUBLIC COMMENT**

Cheryl Tucker asked the Board if a college Ethics course would be acceptable for the CEU requirement under the new bill if accepted.

The Board stated that the course can be submitted for approval by submitted an application for continuing education approval and course outline or syllabus.

**NEXT SCHEDULED MEETING**

The next meeting is scheduled for January 19, 2012 at 1:00 p.m.

**ADJOURNMENT**

There being no further business, a motion was made by Mr. Dawson, seconded by Mr. Gelley, to adjourn the meeting. The motion was unanimously carried. The meeting was adjourned at 2:53 p.m.

Respectfully submitted,

Jennifer Witte  
Administrative Specialist II